THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR. JUSTICE K .C. BHANU

WRIT PETITION NO : 27002 OF 2005

Dated 26-12-2005

Between :

Mittapally Sailo, Sailoo, resident of Indal Wai (Village), Dichpally (Mandakl), Nizamabad District.

PETITIONER.

AND :

1. Srinivas Reddy, Sub-Inspector of Police, Dichpally Police Station, Nizamabad District and others.

RESPONDENTS

ORDER : (Per the Honourable Smt. Justice T.Meena Kumari)

This is a taken up writ petition on the Fax Message dated 13-12-2005 sent by the petitioner seeking a direction to call for records and remarks from the respondents in connection with attempting to occupy one acre of land by one K. Narshimlu from the petitioner's ancestral property admeasuring Ac.3.9 guntas situated in Sy.No.159 in Indialwai village which resulted in filing a civil suit and for illegal interference by the Sub-Inspector of Police, Dichpally Police Station, viz. Srinivas Reddy instigated by one Bairy Nandipi Gangaram with the petitioner's property, by calling the petitioner to the police station, abusing, beating and detaining him for two days and threatening him to withdraw the civil suit, otherwise he will be involved in false cases.

The 1st respondent has filed the counter denying the allegations in the Fax Message. It is contended in the counter that on the complaint given by one Mr. Bairy Gangadhar, son of Nadipi Gangaram, resident of Indalvai village and on the

information given by the Mandal Revenue Officer that regard to the land in question, a civil dispute is pending before the Court at Nizamabad, he advised the complainant orally and asked him to settle the issue before a competent court of law. In that view of the matter, no case is registered against him.

It is submitted across the Bar by the learned Advocate General that in view of the dispute in question which is civil in nature, the question of illegal detention does not arise.

In view of the submission made by the learned Advocate General and in view of the averments made in the counter to the effect that in view of the dispute which is civil in nature, he advised the complaint to settle the same before a competent Court of law, We are of the view that no further orders are necessary in this writ petition.

In the result, this writ petition is dismissed. No costs.

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Justice T.MEENA KUMARI

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Justice K.C.BHANU

Date : 26-12-2005.

Dvs/Gurc

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR. JUSTICE K .C. BHANU

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WRIT PETITION NO : 27002 OF 2005

(Order delivered by the Honourable Smt. Justice T. Meena Kumari)

Dated 26-12-2005